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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,499	12/28/2001	Andreas Dieberger	ARC920010063US1	1253

33360 7590 06/28/2005

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EXAMINER
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PITARO, RYAN F

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/034,499

Applicant(s)

DIEBERGER ET AL.

Examiner

Ryan F Pitaro

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Amendment*

1. This action is responsive to the communication filed on 3/10/2005. Claims 1-23 are pending in the application. This action is Final.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,2,4-10,17-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Koike et al ("Koike", *Timeslider: An Interface to Specify Time Point*).

As per independent claim 1, Koike discloses a method for visualizing dynamic documents in a graphical user interface, comprising the steps of: generating a summary view (Figure 1) of at least one dynamic document including data from an ongoing process (Column 1 lines 15-17) and containing instances of search terms (Column 3 lines 45-50), using a condensed abstract representation of a search term density distribution (Column 3 lines 49-50) updating said summary view to reflect changes in said dynamic document (Column 1 lines 32-34); and triggering an enhancement of said summary view by cursor brushing (Column 3 lines 40-44).

As per claim 2, which is dependent on claim 1, Koike discloses a method comprising the further step of navigating to at least one segment of said dynamic document by selecting a corresponding portion of said summary view (Column 1 lines 17-20).

As per claim 4, which is dependent on claim 1, Koike discloses a method comprising the further step of identifying said dynamic documents with at least one search engine (Column 3 lines 44-48).

As per claim 5, which is dependent on claim 1, Koike discloses a method comprising the further step of aggregating information to enable a more condensed abstract representation of said dynamic document (Column 3 lines 40-44).

As per claim 6, which is dependent on claim 1, Koike discloses a method wherein said method is performed periodically (Column 1 lines 16-18; *in periods which run one after another*).

As per claim 7, which is dependent on claim 1, Koike discloses a method wherein said method is performed continuously (Column 1 lines 16-18).

Claims 8, 22, 23 are individually similar in scope to that of claim 1, and are rejected under similar rationale.

Claim 9 is similar in scope to that of claim 2, and is rejected under similar rationale.

As per claim 10, which is dependent on claim 8, Koike discloses a system where said dynamic document comprises at least one of: a text file, an image file, a web page (Column 2 lines 2-5), an audio file, a video file, streaming data.

As per claim 17, which is dependent on claim 8, Koike discloses a system wherein search terms include user-specified events defined by significant changes in said data from said ongoing process (Column 1 lines 16-18).

As per claim 18, which is dependent on claim 8, Koike discloses a system wherein the summary view includes a number of distinct regions, each region having a different resolution scale, enabling information to be depicted at different levels of detail (Column 2 lines 29-32).

As per claim 19, which is dependent on claim 18, Koike discloses a system wherein said resolution scale is a time scale (Column 2 lines 25-32).

As per claim 20, which is dependent on claim 8, Koike discloses a system wherein the abstract representation is nonlinear (Column 2 lines 25-26).

As per claim 21, which is dependent on claim 21, Koike discloses a system wherein said summary view depicts more recent events with higher resolution than less recent events (Column 2 lines 29-32).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2174

5. Claims 3,15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koike et al ("Koike", *Timeslider: An Interface to Specify Time Point*) in view of Chen et al ("Chen", US 6,625,624).

As per claim 3, which is dependent on claim 1, Koike fails to distinctly point out computing a statistical summary of the contents. However, Chen teaches computing a statistical summary of contents of a selected document portion (Column 9 lines 44-48). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Koike with the teaching of Chen. Motivation to do so would have been to provide an overview to better understand the primary areas of focus.

As per claim 15, which is dependent on claim 8, Koike fails to disclose the document being stock market information. However, Chen teaches the document to include stock market data (Column 9 lines 40-48). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Koike with the teaching of Chen. Motivation to do so would have been to provide a way of tracking stocks.

1. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koike et al ("Koike", *Timeslider: An Interface to Specify Time Point*) in view of Ahlberg et al ("Ahlberg", *The Alphaslider: A Compact and Rapid Selector*).

As per claim 11, which is dependent on claim 8, Koike fails to disclose the document being medical data. However, Ahlberg teaches the document to include medical data (Column 3 lines 47-50). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Koike with the teaching of

Ahlberg. Motivation to do so would have been to provide a quick way of viewing medical data.

2. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koike et al ("Koike", *Timeslider: An Interface to Specify Time Point*) in view of Yeo et al ("Yeo", US 5,821,945).

As per claim 12, which is dependent on claim 8, Koike fails to disclose the documents being images from cameras. However, Yeo teaches the dynamic documents include images from a number of cameras (Figure 3a). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Koike with the teaching of Yeo. Motivation to do so would have been to view a number of images/video streams in a quick manner.

As per claim 13, which is dependent on claim 8, Koike-Yeo discloses a system wherein said dynamic document includes data from a security system (Yeo, Figure 3; wherein cameras inherently make up security system data).

3. Claims 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koike et al ("Koike", *Timeslider: An Interface to Specify Time Point*) in view of Harvey et al ("Harvey", US 6,784,901).

As per claim 14, which is dependent on claim 8, Koike fails to expressly point out data describing the behavior of a number of users. However, Harvey teaches dynamic documents that include behavior of a number of computer users (Column 10 lines 3-6; *multiple computer users can send messages which are logged*). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Koike

with the teaching of Harvey. Motivation would have been to provide a way to view all of the archived messages from the other computer users.

As per claim 16, which is dependent on claim 8, Koike-Harvey discloses the system wherein the dynamic document includes chat room data (Harvey, Column 10 lines 3-6).

### ***Response to Arguments***

Applicant's arguments filed 3/10/2005 have been fully considered but they are not persuasive.

Applicant argues that Koike fails to present no search term density information. The Examiner disagrees, Koike teaches small tick marks to indicate that at least one instance of a search term occurred, as pointed out by the Applicant and the original office action. Since there are marks indicating a search term has occurred and there are some instances of no search terms occurring, then it is shown that the places where there is a tick mark is more dense than one without such a mark.

As per claims 11-14, and 16, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).



***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm M-Th, and alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro  
Art Unit 2174  
Patent Examiner

RFP

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